

The Honorable Philip H. Brandt
Chapter 11
Hearing Location: 700 Stewart St., Rm. 8106
Hearing Date: January 7, 2010
Hearing Time: 10:30 a.m.
Response Date: December 31, 2009

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

In re

ESM CONSULTING ENGINEERS, L.L.C.,
181 S. 333rd St., Bldg C, Suite 210
Federal Way, WA 98003

Debtor.

Case No. 09-20663-PHB

**AMENDED ORDER REJECTING and
ASSUMING LEASES**

THIS MATTER came on for hearing on the motion (the "Motion") of ESM Consulting Engineers, L.L.C., (the "Debtor" or "ESM"), for an order pursuant to 11 U.S.C. § 365(a) rejecting the lease of office space at 20021 120th Ave NE, Ste 103, Bothell, WA 98011 from S/I North Creek IV, LLC, and the lease of office space at 33915 1st Way South, Suite 200, Federal Way, WA 98003 from ESM Building LLC.

Having considered the records and files herein, including the Motion, the Response to the Motion filed by ESM Building LLC, the presentation of counsel (if any), and all other pleadings submitted in connection with the Motion, and finding that notice of the Motion was adequate under the circumstances, and that the handling of leases as proposed are in the best interest of the estate; it is hereby Ordered that:

1. **Rejection of Leases.** Pursuant to 11 U.S.C. § 365, the Debtor's former lease of office space at 20021 120th Ave NE, Ste 103, Bothell, WA 98011 from S/I North Creek IV, LLC is rejected as of the Petition Date of October 13, 2009; and the Debtor's former lease of office space at 33915 1st Way South, Suite 200, Federal Way, WA 98003 from ESM Building, LLC is rejected as of December 2, 2009.

2. **Claims Bar Date for Rejected Leases.** *That S/I North Creek IV, LLC and ESM Building LLC shall file any claims they may have against the Debtor for damages resulting from the rejection of their leases no later than 30 days from the latter of the date this matter was heard and the Court rendered its oral ruling, or the date this order is entered by the Court.*

3. **Assumption of Office Leases.** Debtor's leases for office space at 1010 S.E. Everett Mall Way, Suite 203, Everett, WA and at 181 S. 333rd St., Bldg C, Suite 210, Federal Way, WA 98003 are assumed pursuant to 11 U.S.C. § 365.

DATED this day of January 2010.

HONORABLE PHILIP H. BRANDT
United States Bankruptcy Judge

Presented by:

KARR TUTTLE CAMPBELL

By: George S. Treperinas, WSBA #15434
Attorneys for Debtor-in-Possession,
ESM Consulting Engineers, L.L.C.